

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 32 August 6, 1998 Pages 1197-1220

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## Department of Administration Division of Architectural Services

### Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for A, C and E cellhouses at the Lansing Correctional Facility. The project calls for the replacement of a Southern Steel 7100 series locking system with a new locking system. The work will include new control panels, wiring, locking system, housing covers, gear and motors, etc. Cellfronts are to remain. The estimated project cost is \$2,100,000.

For information regarding the scope of services, contact Mike Gaito, Department of Corrections, (785) 296-0883.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (785) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. August 21.

Thaine Hoffman, AIA Director, Division of Architectural Services

Doc. No. 022742

# State of Kansas Social and Rehabilitation Services

# Notice of Basic Maximum Daily Rate for State Institutions

In compliance with K.S.A. 59-2006b(a), the following per patient day costs for fiscal year 1999 will be the basic maximum daily rate of charge, effective July 1, 1998, for the following state institutions:

Parsons State Hospital and Training Center Kansas Neurological Institute \$290

In compliance with K.S.A. 59-200b(c), the following state institutions are hereby authorized to compute an individual patient charge on the basis of rates for services based on costs incurred by such state institutions determined by application of generally acceptable hospital accounting principles: Osawatomie State Hospital; Larned State Hospital, including the State Security Hospital; and Rainbow Mental Health Facility.

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 022743

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Register Office: Room 233-N, State Capitol (785) 296-3489 Fax (785) 291-3051

## **Juvenile Justice Authority**

#### Notice of Kansas Advisory Group Meeting

The Kansas Advisory Group will meet from 9 a.m. to 4 p.m. Friday, August 14, in the conference room of the State Banking Department, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. A future meeting of the group has been scheduled for September 11. For more information, contact Ron Miller, Juvenile Justice Authority, at (785) 296-4213.

Albert R. Murray Commissioner of Juvenile Justice

Doc. No. 022751

#### State of Kansas

## Department of Administration Division of Architectural Services

#### Notice of Commencement of Negotiations for Construction Management Services

Notice is hereby given of the commencement of negotiations for pre-construction construction management services for three projects at the University of Kansas, Lawrence:

- Dole Institute
- Child Care Facility
- Parking Garage #2

One firm will be selected to provide services to all the projects.

It is the intent of this contract to utilize the skills, experience and talents of a construction management firm, serving as a member of the design team and assisting other design professionals, under separate contract to the University of Kansas, to develop the construction documents necessary to accomplish the program of work within the budgeted resources available. The design team thus assembled should provide maximum assurance that design efforts will result in an awardable contract for construction and adherence to critical schedules during which the work must be performed.

The construction management services representative, as a member of the project design team, will provide any or all services that include, but are not limited to:

- Construction site access, staging, etc.
- Value en gineering
- Verification of probable costs of construction
- Design review
- Constructability evaluation
- Schedule verification

Fees shall be negotiated according to K.S.A. 75-1265 and shall not exceed 1 percent of the estimated cost of the project. For information regarding the scope of services, contact Warren Corman, University Architect/Special Assistant to the Chancellor, University of Kansas, (785) 864-4868.

If interested, an original and six copies (seven total) of qualifications and expressions of interest should be submitted. These submittals should be concise, relevant to the project, and sent to Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603.

Expressions of interest should be received by Gary Grimes before 5 p.m. August 21.

Thaine Hoffman, AIA Director, Division of Architectural Services

Doc. No. 022740

#### State of Kansas

## **State Corporation Commission**

# Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, October 14, in the first floor hearing room of the State Corporation Commission, 1500 S.W. Arrowhead, Topeka, to consider the adoption of proposed revisions of the Kansas motor carrier regulations, K.A.R. 82-4-1 et seq. (1994). The proposed revisions to the regulations are essentially comprised of technical corrections, such as capitalization, punctuation and sentence structure. Additionally, references to obsolete federal agencies such as the Interstate Commerce Commission have been changed to reflect the proper successor agency, the Federal Highway Administration of the Department of Transportation. Also, the revisions reflect several instances where federal law pertaining to the motor carrier industry in general has changed and where federal law that the commission has officially adopted for implementation in Kansas may have changed. Lastly, the revisions take official notice of new forms of doing business—in particular, the limited liability company—and update several regulations no longer applicable in today's motor carrier industry. The affected regulations are: K.A.R. 82-4-1, 82-4-3, 82-4-6d, 82-4-20, 82-4-21, 82-4-22, 82-4-23, 82-4-24a, 82-4-26, 82-4-27, 82-4-27a, 82-4-27c, 82-4-27e, 82-4-27f, 82-4-27g, 82-4-28, 82-4-28a, 82-4-28b, 82 1-29a, 82-4-30a, 82-4-30b, 82-4-31, 82-4-32, 82-4-33, 82-4-35a, 82-4-37, 82-4-42, 82-4-46, 82-4-48, 82-4-48a, 82-4-49c, 82-4-53, 82-4-54, 82-4-55, 82-4-56a, 82-4-57, 82-4-58a, 82-4-58b, 82-4-58c, 82-4-58d, 82-4-59, 82-4-62, 82-4-63, 82-4-64, 82-4-65, 82-4-67, 82-4-68, 82-4-69 and 82-4-85.

This 60-day notice of the public hearing shall constitute a public comment period for purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Eric Heath, Assistant General Counsel, State Corporation Commission, 1500 S.W. Arrowhead, Topeka, 66604. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing.

Copies of the regulations and the economic impact statement may be obtained by contacting Vicki Berg at (785) 271-3225.

Any person requiring accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the hearing date.

David J. Heinemann Executive Director

# **Department of Transportation**

#### **Notice to Consulting Engineers**

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. August 27 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short listed will be

notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

#### Project No. 4-89 K-7316-01 Shawnee County

The scope of services is to provide for the addition of 2 new lanes to provide for a 4-lane freeway within the existing right-of-way from US-40, north to the Kansas River Bridge. The road and bridge squad leaders are Steve King and Richard Elliott. The construction estimate is \$12,583,000.

#### Project No. 4-89 K-7316-02 Shawnee County

The scope of services is to provide for the addition of a new Kansas River Bridge to provide for a 4-lane freeway within the existing right-of-way. The road and bridge squad leaders are Steve King and Richard Elliott. The construction estimate is \$28,127,000.

### Project No. 4-89 K-7316-03 Shawnee County

The scope of services is to modify the existing plans by the addition of 2 new lanes to provide for a 4-lane expressway within the existing right-of-way from the Kansas River Bridge north to 46th Street. The road and bridge squad leaders are Steve King and Richard Elliott. The construction estimate is \$12,000,000.

#### Project No. 75-89 K-7317-01 Shawnee County

The scope of services is to provide for the addition of 2 new lanes to provide for a 4-lane freeway within

the existing right-of-way from the end of the existing 4-lane, north to the 4-lane at I-470. The road and bridge squad leaders are Frank Coufal and Robert Reynolds. The construction estimate is \$15,500,000.

### Project No. 96-87 K-5389-01 Sedgwick County

The scope of services is to provide for the rehabilitation of K-96 from the 2-lane/4-lane divided, southeast 10.1 km to the west city limits of Wichita. The survey will be provided by KDOT. The road and bridge squad leaders are Frank Coufal and Robert Reynolds. The construction estimate is \$6,562,000.

## Project No. 169-63 K-6826-01 Montgomery County

The scope of services is to provide for the reconstruction of US-169 from the 2-lane/4-lane, north 1.8 km to US-160. KDOT will provide the survey. The road and bridge squad leaders are Frank Coufal and Richard Elliott. The construction estimate is \$2,400,000.

#### Project No. 160-19 K-6405-01 Crawford County

The scope of services is to provide for the reconstruction of US-160 from US-69, east 7.7 km to the Missouri state line. The survey will be provided by KDOT. The road and bridge squad leaders are Steve King and Richard Elliott. The construction estimate is \$8,000,000.

### Project No. 148-101 K-6368-01 Washington County

The scope of services is to provide for the replacement of the Cottonwood Creek Bridge (021), 4.8 km north of US-36. The survey will be provided by KDOT. The road and bridge squad leaders are Frank Coufal and Richard Elliott. The construction estimate is \$760,000.

### Project No. 166-50 K-6388-01 Labette County

The scope of services is to provide for the replacement of the Neosho River Bridge (038) at Chetopa. The consultant will provide the survey. The road and bridge squad leaders are Bob Wandel and Terry Fleck. The construction estimate is \$3,000,000.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

- 1. Size and professional qualifications;
- Experience of staff;
- 3. Location of firm with respect to proposed project;
- 4. Work load of firm; and
- 5. Firm's performance record.

E. Dean Carlson Secretary of Transportation

# Department of Transportation

#### **Notice to Contractors**

Sealed proposals for the construction and installation of a fiber optic infrastructure system for improvement of state highway right-of-way in the State of Kansas, **Project No. 106 K 7319-01**, will be received at office of the Chief of Construction and Maintenance, KDOT, 8th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, until 1 p.m. August 18. The net length of project to be constructed or improved is approximately 550 miles. This project is not funded.

Project specifications are on file and may be examined at the Kansas Department of Transportation's Topeka of-

fices or in the county clerk's office of the following Kansas counties: Douglas, Jefferson, Shawnee, Riley, Geary, Dickinson, Saline, Ellsworth, Lincoln, Russell, Ellis, Trego, Gove, Thomas, Sherman, McPherson, Harvey, Sedgwick and Sumner.

Proposals and standard specifications may be obtained from the Kansas Department of Transportation at Topeka until the close of business August 17. The engineer must approve any deviation from this.

The Secretary of Transportation reserves the right to reject any and all proposals and to waive any or all technicalities.

E. Dean Carlson Secretary of Transportation

Doc. No. 022744

#### State of Kansas

## Legislature

#### Interim Committee Schedule

The following committee meetings have been scheduled during the period of August 10 through August 23:

	Date	Room	Time	Committee	Agenda
	August 11	KUMC	10:00 a.m.	Joint Committee on Oversight of the University of Kansas Hospital Authority	Agenda not available.
•	August 11 August 12	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda not available.
	August 12 August 13	123-S 123-S	10:00 a.m. 9:00 a.m.	Legislative Budget Committee	12th: Status report from Attorney General Carla Stovall on water, tobacco and Microsoft litigation; state general fund year end reports;
					public hearing on elimination of state park fee exemptions for senior citizens and handicapped persons and hunting and fishing license exemptions for senior citizens, and
			( ·		establishing higher park entrance fees for nonresidents.  13th: Special education.
	August 12 August 13	519-S 519-S	10:00 a.m. 9:00 a.m.	Task Force on Long-Term Care Services	Agenda not available.
*	August 13	1st Floor Hearing Room, KCC	10:00 a.m.	KUSF Working Committee	Final review of a proposed public policy statement governing telecommunications; staff overview of universal service funds; role and activities of rural utilities service in Kansas; update by subcommittees.
	August 17 August 18	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	Topic No. 7 - Driving Privileges for Teenagers. Topic No. 4 - Expedited Evictions. Topic No. 2 - Marriage Licenses by Mail.
	August 17 August 18 August 18 August 19	519-S 519-S 123-S 123-S	10:00 a.m. 9:00 a.m. 10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee SRS Transition Oversight Committee	Agenda not available.  18th: Mental health issues. 19th: Agenda not available.
			Joo water		Jeff Russel

Director of Legislative Administrative Services

# **Pooled Money Investment Board**

#### **Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

#### Effective 8-3-98 through 8-9-98

		,,,,,
Term		Rate
1-89 days		5.60%
3 months		5.56%
6 months		5.55%
9 months		5.47%
12 months	in the installant	5.60%
18 months		5.64%
24 months		5.59%

Clyde Graeber Acting Chairman

Doc. No. 022736

#### State of Kansas

#### **Historic Sites Board of Review**

#### Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, August 29, on the second floor of the Koch Education Center (Potawatomie Baptist Mission) on the grounds of the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

- Ritchie House, 1116 S.E. Madison, Topeka, Shawnee County (state register only)
- Soldiers and Sailors Civil War Monument, on the grounds of the old Sedgwick County Courthouse, Wichita, Sedgwick County
- Paxico Historic District, 101-103, 105, 107, 109 Newbury St., Paxico, Wabaunsee County

The board also will consider removal of the Plevna General Store, 3rd and Main, Plevna, Reno County, from the National Register of Historic Places. In addition, the board will vote on the selection of Heritage Trust Fund projects for 1998.

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. Requests for accommodation should be made by August 21 by contacting Sandy McDaniel of the Cultural Resources Division, Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240.

Ramon Powers Executive Director

Doc. No. 022746

#### State of Kansas

#### Secretary of State

#### Usury Rate for August

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of August 1, 1998 through August 31, 1998, is 8.56 percent.

Ron Thornburgh Secretary of State

Doc. No. 022737

#### State of Kansas

# Department of Transportation

#### **Request for Comments**

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 98-00 by adding the following projects:

**Project X-2020-01,** Flashing light signal, Union Pacific Railroad and 4th Street in WaKeeney, Trego County

Project X-2024-01, Flashing light signal, Burlington Northern Santa Fe Railroad and Pflumm Street in Lenexa, Johnson County

**Project X-2025-01,** Flashing light signal, Central Kansas Railroad and Baley Street in Wichita, Sedgwick County

**Project X-2026-01,** Flashing light signal, Southeast Kansas Railroad and K-7 north of Scammon, Cherokee County

Project X-2027-01, Railroad track connection and two track closures, South Kansas and Oklahoma Railroad and Washington Street in Fredonia, Wilson County

The STIP amendment requires a 30-day public comment period. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568, (785) 296-7916, fax (785) 296-0723.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Information, (785) 296-3585 (Voice/TTY).

The comment period regarding the STIP amendment will conclude September 7.

E. Dean Carlson Secretary of Transportation

# **Secretary of State**

#### **Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

#### Agriculture Advisory Board

**Elizabeth M. Perkins,** P. O. Box 707, Howard, 67349. Term expires January 11, 1999. Succeeds Patty Clark.

# Kansas Commission for the Deaf and Hard of Hearing

Dr. Rebecca N. Gaughan, 12906 Goddard St., Shawnee Mission, 66213. Term expires April 29, 2001. Reappointed.

**Leonard A. Hall,** 14646 S. Kaw Drive, Olathe, 66062. Term expires April 29, 2001. Reappointed.

**David S. Rosenthal**, 2609 Bond Place, Lawrence, 66049. Term expires April 29, 2001. Reappointed.

Michael Womeldorff, 3016 Faye, Parsons, 67357. Term expires April 29, 2001. Reappointed.

## Legislative Compensation Commission

(Established pursuant to 1998 Session Laws of Kansas, Chapter 197.)

Roland E. Smith, Chair, 2552 N. Richmond, Wichita, 67204. Term expires June 30, 2002.

#### Washburn University Board of Regents

Benjamin F. Blair, 5918 S.W. 35th, Topeka, 66614. Term expires June 30, 2002. Succeeds Maxine Porter.

#### **Kansas Wheat Commission**

Elizabeth Bunck, Route 1, Box 98, Everest, 66424. Term expires June 30, 1999. Succeeds John Bunck.

#### Wichita State University Board of Trustees

Joan S. Beren, 573 N. Armour St., Wichita, 67206. Term expires June 30, 2001. Reappointed.

Dale G. Diggs, 1265 S. Sagebrush Court, Wichita, 67230. Term expires June 30, 2001. Reappointed.

Michael C. Oatman, 544 Wetmore Court, Wichita, 67209. Term expires June 30, 2001. Reappointed.

Ron Thornburgh Secretary of State

Doc. No. 022748

#### State of Kansas

# Office of Judicial Administration Court of Appeals

Summary Calendar—No Oral Argument Docket
August 11-12, 1998

	Before Rulon, P.J.; a	nd Royse and Marquardt, JJ.	
Case No.	Case Name	Attorneys	County
78,706	Pioneer Petroleum, Inc., Appellee, v. v. Taurus, Inc., a Kansas Corporation,	Wendell J. Barker David R. Hills	Franklin
	and Sagittarius, Inc., a Kansas Corporation, Appellants.		
78,778	State of Kansas, Appellee, v. David Lee Kluge, Appellant.	Attorney General District Attorney James F. Vano	Johnson
79,174	State of Kansas, Appellee, v. Michael A. Dorsey, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Wyandotte
79,380	Michael Wagner, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General District Attorney	Wyandotte
80,109	In the Interest of K.M.S., B.M.S., J.M.M., C.H.M. and T.L.S.	John D. Knudsen, Asst. D.A. William D. Peters, Jr.	Wyandotte
78,390	State of Kansas, Appellee, v. Paul R. Ramirez, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Johnson

(continued)

78,502	Louie R. Martin, Appellee, v.	Michael G. Coash Julie Riddle	Butler
*	Charles Simmons, et al., Appellants.		
78,735	State of Kansas, Appellee, v.	Attorney General District Attorney	Wyandotte
	Tonia L. Carver, Appellant.	Jessica R. Kunen, Chief A.D.	
79,078	Irvin Timley, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
70.600			
79,608	Gary and Mary Halliburton, Appellees, v. Larry and Terry Halliburton, Appellants.	Curt T. Schneider Julia D. Allen	Montgomery
77 007	• • •	Au	<b>v</b> 1
77,987	State of Kansas, Appellee, v. Charles Kelly King, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Johnson
78,479	State of Kansas, Appellee,		. Deadless
70,479	v. Michael Gean Roland, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Butler
78,733	State of Kansas, Appellee,	Attorney General	Ellis
	v. Michael K. Bowen, Appellant.	County Attorney Jessica R. Kunen, Chief A.D.	Lins
78,871	Leonard Charles, Appellant,	Jessica R. Kunen, Chief A.D. Attorney General	Wyandotte
	State of Kansas, Appellee.	District Attorney	
78,901	In the Matter of the Estate of Evert Anderson, Deceased.	Robert R. Laing, Jr. William K. Waugh III	Johnson
,	Refere Respit CI	. Comon and Diamon II	
Case No.	Case Name	.; Gernon and Pierron, JJ.  Attorneys	County
78,799	State of Kansas, Appellee,	Attorney General County Attorney	Saline
• • • • • •	Mark A. Bates, Appellant.	Jessica R. Kunen, Chief A.D.	
78,971	State of Kansas, Appellee, v.	Attorney General County Attorney	Saline
	Milton L. Jordan, Appellant.	Jessica R. Kunen, Chief A.D.	
79,042	State of Kansas, Appellee,	Attorney General County Attorney	Saline
	Robin Wayne Giauque, Appellant.	Wm. Rex Lorson	
79,061	David Moses Pena, Appellant, v.	Jessica R. Kunen, Chief A.D. Attorney General	Riley
	State of Kansas, Appellee.	County Attorney	*
79,092	House of Schwan, Inc., Capital Distributing Co., Inc.,	Darin M. Conklin Debra L. Billingsley	Shawnee
	Midwest Distributors Co., Inc., Western Beverage, Inc., City Beverage,	David Elkouri Max E. Estes	
	Inc., and Slayman Beverage Co., Inc., Appellants,	Charles F. Marvine, Jr.	
	v.	•	
	Bernie Norwood, Director of Alcoholic Beverage Control, and Department of Revenue, Division of ABC, Appellees.		
78,247	State of Kansas, Appellee,	Attorney General	Smith
/ <del></del> -'	<b>v.</b>	County Attorney	omui
	Neil K. Robinson, Appellant.	Jessica R. Kunen, Chief A.D.	

	Nai	isas Register	
78,304	State of Kansas, Appellee, v. Michael R. Rivers, Appellant.	Attorney General County Attorney General Jessica R. Kunen, Chief A.D.	Saline
78,925	State of Kansas, Appellee, v. Jason S. Griffith, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Saline
79,149	Bobby Young, Appellant, v. State of Kansas, Appellee.	Jeffry J. Larson Attorney General County Attorney	Lyon
79,260	Kenneth P. Seck, Appellant, v. Marty M. Snyder, Appellee.	Kenneth P. Seck, pro se John R. Dowell, Asst. A.G.	Shawnee
78,854 79,109	State of Kansas, Appellee, v. John A. Stutzman, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Riley
78,712	State of Kansas, Appellee, v. Thomas Lloyd Brown, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Franklin
78,935	Valerie M. Gentzel, Appellant, v. Keith A. Williams, Appellee.	Timothy G. Givan Larry A. Bolton	Reno
79,020	Walter Wadsworth, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General County Attorney	Geary
79,519	State of Kansas, Appellee, v. Catina Kimberlin, Appellant.	Attorney General County Attorney Lisa Beran	Barton
	Before Elliot	t, P.J.; Lewis and Green, JJ.	
Case No. 78,505	State of Kansas, Appellee, v. Kenneth E. Gettings, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	County Sedgwick
78,549	Glenn Cahill, Appellant, v. Michael Nelson, et al., Appellees	Michael G. Coash Julie Riddle	Butler
78,566	State of Kansas, Appellee. v. Joseph W. Brasfield, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,608	State of Kansas, Appellee, v. Michael Gene Wilson, Appellant.	Attorney General Debra S. Peterson, Chief D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
77,524	State of Kansas, Appellee, v. Bobby D. Edwards, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,425	State of Kansas, Appellee, v. Lemuel Calvin Thompson, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Reno
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(continued)

Case No.	Before Lewis, P.J.,	; Green and Knudson, JJ.  Attorneys	County
78,740	Mark S. Gietzen, Appellant, v. Paul Feleciano, Jr., Appellee.	Aaron T. Blase Steven W. Cole	Sedgwick
79,077	Harold Jones, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
78,814	State of Kansas, Appellee, v. Tracy R. Dawson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,979	Kristofor B. Warden Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
78,720	State of Kansas, Appellee, v. Leroy Hodges, Jr., Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
78,973	State of Kansas, Appellee, v. Mikel Sherman Brooks, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
Case No.	Before Green, P.J.	; Elliott and Knudson, JJ.	
79,541	Via Christi Regional Medical Center, Inc., Appellant, v. Mary E. Ayalla, Appellee.	W. Thomas Gilman Matthew C. Hesse Mary E. Ayalla, pro se	County Sedgwick
78,606 78,976	Michael W. Hamilton, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
78,659	State of Kansas, Appellee, v. Marvell R. Standifer, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
79,036	James Hunt, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
79,052	Darrin G. Fanning, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Attorney General Debra S. Peterson, Asst. D.A.	Sedgwick
Case No.	Before Knudson, l	P.J.; Elliott and Lewis, JJ.	
79,441	State of Kansas, Appellee, v.	Attorney General County Attorney Logica P. Kangar Chief A.D.	County Reno
78,931	Tara D. Chaney, Appellant.  Earl E. Wilburn, Appellant,  v.	Jessica R. Kunen, Chief A.D. Jessica R. Kunen, Chief A.D. Attorney General	Atchison
80,760	State of Kansas, Appellee. In the Matter of J.R., dob: 12/22/82, a Juvenile Under the Age of 18 years.	County Attorney County Attorney Sheila M. Schultz	Miami
	김희님이 돌려가겠습니다. 그런 얼마지다.		Carol G. Green

Carol G. Green Clerk of the Appellate Courts

tions:

# Department of Health and Environment

#### **Request for Comments**

The Kansas Department of Health and Environment has received and reviewed an application from American Disposal Services of Kansas, Inc. to increase the disposal capacity of the Wheatland Landfill located on K-7 highway, 4 miles north of Columbus, near Skidmore, by increasing the design height of the landfill. The proposed change will result in a 60-foot increase in the finished height of the landfill from the currently permitted final elevation of 958 feet to a proposed elevation of 1018 feet. The increase in height will occur only over areas lined with clay and geosynthetic material and equipped with a leachate collection system. The change in height will increase the disposal capacity of the landfill by 1,730,000 cubic yards. KDHE is providing public notice of its intent to issue an amended permit to American Disposal Services, Inc., the owner and operator of the Wheatland Landfill, to allow an increase in the final permitted elevation of the existing landfill.

A copy of the administrative record, which includes the draft amended permit and all information regarding this permit action, is available for public review through Friday, September 18, during normal business hours, 8 a.m. to 5 p.m. Monday through Friday, at the following loca-

Kansas Department of Health and Environment Bureau of Waste Management Forbes Field, Building 740 Topeka, 66620 Contact: Phil Rosewicz (785) 296-1594

Cherokee County Courthouse Clerk's Office 100 W. Maple Columbus, 66725 Contact: Maurice Soper (316) 429-2042

Anyone wishing to comment on the draft permit or application information should submit written statements postmarked not later than September 21 to Phil Rosewicz at the KDHE Forbes Field address.

An informational meeting will be held in conjunction with the public comment period at 1 p.m., followed by a public hearing at 2 p.m., Friday, September 18, in the County Commission Room at the Cherokee County Courthouse, Columbus. After consideration of all written comments and all formal comments received at the hearing, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the applicant, to all persons who submitted written comments, to those who commented at the public hearing, and to those who requested notice of the final permit decision.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022755

State of Kansas

# Department of Health and Environment

#### Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

#### Public Notice No. KS-AG-98-101/103

Name and Address of Applicant	Legal Description	Receiving Water
Caprock Industries III Feedyard P.O. Box 938	E/2 of Sec. 11, W/2 of Sec. 12, & NE/4 of Sec. 12	Smoky Hill River Basin
Leoti, KS 67861	T17S, R37W, Wichita County	

Kansas Permit No. A-SHWH-C003 Federal Permit No. KS-0038679
This is an expansion of an existing facility. The proposed capacity of the facility is 120,000 head (120,000 animal units) of beef cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. A plan shall be submitted to the department within six months following permit issuance. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Dairy Oz, L.L.C.	SW/4 of Section 5,	Upper Arkansas
Route 1	T23S, R35W,	River Basin
Deerfield, KS 67838	Kearny County	

Kansas Permit No. A-UAKE-D002 Federal Permit No. KS-0094641 This is a new facility for 6,750 head (7,020 animal units) of dairy cattle. Wastewater Control Facilities: Wastewater will be impounded for sub-

sequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: After the lagoons and the retention structure have been compacted and completed, permeability tests must be conducted. Any holes resulting from core samples shall be filled with bentonite. Copies of soil permeability tests shall be provided to KDHE's office at 302 W. McArtor, Dodge City, KS 67801. Should the structures not meet the permeability requirements, additional sealing will be necessary.

A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leach
(continued)

ing, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. A plan shall be submitted to the department within six months following permit issuance. The approved plan will become part of this permit.

Name and Address of Applicant Golden Belt Feeders, Inc. P.O. Box 156 Kinsley, KS 67547

Legal Description S/2 of Section 13, T25S, R19W, **Edwards County** 

Receiving Water

Upper Arkansas River Basin

Kansas Permit No. A-UAED-C001

Federal Permit No. KS-0053562

This is an expansion facility for 30,000 head (30,000 animal units) of beef cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. A plan shall be submitted to the department within 12 months following receipt of this permit. The approved plan will become part of this permit.

Permeability tests shall be conducted on each retention structure as follows: Pond 1, 1a, 2, 3, 4, 5, 6 (two areas), 7, 8, 8a, 9, 10 and 11.

If the core sample method is selected, samples must be collected and analyzed by a certified lab. Any holes resulting from core samples shall be filled with bentonite. If the standpipe method is selected, materials and equipment to be used shall be inspected and the test procedures and readings shall be viewed and recorded by a KDHE representative or it will not be accepted. For existing ponds 1, 5, 6 (two areas), 7 and 8, permeability tests shall be completed within 12 months of the effective date of this permit. For new or enlarged ponds 1a, 2, 3, 4, 8a, 9, 10 and 11, permeability tests shall be completed within 12 months of the completion of construction for each pond. Copies of permeability tests shall be submitted to KDHE's southwest district office at 302 W. McArtor, Dodge City, KS 67801. Should any structure not meet the permeability requirements, additional sealing will be necessary.

#### Public Notice No. KS-98-087/088

Name and Address of Applicant City of Stockton City Hall P.O. Box 512 Stockton, KS 67669

Waterway . South fork Solomon River via Type of Discharge

Treated domestic wastewater

Dibble Creek

Kansas Permit No. M-SO41-OO01 Federal Permit No. KS0117625 Legal: NW1/4, S24, T7S, R18W, Rooks County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing mechanical wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance requiring the permittee to upgrade the facility for disinfection of the effluent. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based

Name and Address of Applicant Fina Oil and Chemical Co. Pester Burn Pond Remed.

Waterway Walnut River Walnut River Type of Discharge

via west branch

Treated groundwater and stormwater

8350 N. Central Expressway Dallas, TX 75206

Kansas Permit No. I-WA09-PO11

Federal Permit No. KS0093131

Legal: SW1/4, S26, T25S, R5E, Butler County

Facility Description: The proposed action is to issue a new permit for the discharge of treated groundwater from a groundwater remediation project and stormwater collected in inactive ponds. This is a superfund cleanup project for a former petroleum refinery. Previously, the stormwater and wastewater generated from the site cleanup were discharged to the adjacent Coastal Refinery wastewater treatment plant. Contaminated groundwater and purge water from the on-site monitoring wells are collected in an interceptor trench, treated in an oil-water separator and filtered to achieve compliance with the permit limitations. Discharge from Outfall 001 is about 28,800 gpd. Also, stormwater collected in the inactive ponds is filtered and discharged to the Walnut River at Outfall 002 at about 288,000 gpd for about six weeks per year. Domestic sewage wastewater is directed to a septic tank/lateral system. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

#### Public Notice No. KS-ND-98-026

Name and Address of Applicant Larry Finn

Legal Location NW1/4, S20, Type of Discharge

L. Fin Bar & Dance Hall 414 E. 10th

T31S, R25E, Cherokee County Nonoverflowing

Pittsburg, KS 66762

Kansas Permit No. C-NE57-NO06

Facility Description: The proposed action is to issue a new permit for operation of a new two-cell wastewater treatment lagoon system treating domestic wastewater.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before September 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-101/103, KS-98-087/088, KS-ND-98-026) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/ or announcement of the public notice or public hearing is handled by the Kansas Department of Health and En-

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Gary R. Mitchell Secretary of Health and Environment

(Published in the Kansas Register August 6, 1998.)

Notice of Mandatory Partial Redemption
City of Wichita, Kansas
Industrial Revenue Bonds, Series XCV-1979
(Cherry Creek Village Partnership)
Dated September 1, 1979, 9.0%
Due September 1, 2002
(No Cusip Assigned)

Notice is hereby given that pursuant to Section 5 of Resolution No. 36-307 of the Trust Indenture dated September 1, 1979, the following outstanding bonds, in the denomination of \$5,000 each, totaling \$250,000 aggregate principal amount of the above issue, will be redeemed at the option of the issuer on September 1, 1998 (the redemption date), at a redemption price of 100 percent of the principal amount thereof, plus accrued interest to the redemption date:

361	535	586	642	658
490	565	587	643	689
492	566	588	650	690
526	<i>577</i>	589	651	691
527	578	590	652	692
529	580	591	653	693
530	581	592	654	695
531	582	593	655	696
532	583	594	656	697
534	585	596 ,	657	698

The bonds shall be payable upon presentation and surrender thereof on the redemption date to the paying agent, Commerce Bank N.A., Securities Processing Unit, Suite 0125, One First National Plaza, Chicago, IL 60670-0125. Interest shall cease to accrue on all bonds called for redemption on and after September 1, 1998.

The method of presentation and delivery of such bonds for redemption is at the option and risk of the owners of each bond. It is suggested, however, if the securities are sent by mail, that the envelope be sent insured, registered, return receipt.

Such redemption of the bonds is conditional and subject to the deposit of the redemption funds with Commerce Bank, N.A. not later than the opening of business on the redemption date. This notice of redemption shall be of no effect unless such funds are so deposited.

Under the provisions of the National Energy Policy Act of 1992, paying agents making payments of principal on municipal securities may be obligated to withhold an amount equal to 31 percent of remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the above-described securities who wish to avoid the imposition of this withholding should submit certified taxpayer identification numbers on Form W-9 when presenting their bonds for collection.

Dated August 1, 1998.

Commerce Bank, N.A. Wichita, Kansas Trustee

Doc. No. 022750

(Published in the Kansas Register August 6, 1998.)

Summary Notice of Bond Sale City of Dodge City, Kansas \$455,000

General Obligation Bonds, Series 1998

(General obligation bonds payable from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale dated August 3, 1998, sealed bids will be received by the city clerk of the City of Dodge City, Kansas (the issuer), on behalf of the governing body at 806 2nd Ave., Dodge City, until 4 p.m. Monday, August 17, 1998, for the purchase of \$455,000 principal amount of General Obligation Bonds, Series 1998. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 1, 1998, and will become due September 1 in the years as follows:

1999       \$35,000         2000       40,000         2001       40,000         2002       40,000         2003       45,000         2004       45,000         2005       50,000         2006       50,000         2007       55,000         2008       55,000	Maturity September 1	Principal Amount
2001       40,000         2002       40,000         2003       45,000         2004       45,000         2005       50,000         2006       50,000         2007       55,000		\$35,000
2002       40,000         2003       45,000         2004       45,000         2005       50,000         2006       50,000         2007       55,000	2000	40,000
2003       45,000         2004       45,000         2005       50,000         2006       50,000         2007       55,000	2001	40,000
2004       45,000         2005       50,000         2006       50,000         2007       55,000	2002	40,000
2005       50,000         2006       50,000         2007       55,000	2003	45,000
2006 50,000 2007 55,000	2004	45,000
2007 55,000	2005	50,000
	2006	50,000
2008 55,000	2007	55,000
	2008	55,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$9,100 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 3, 1998, at the offices of the Depository Trust Company, New York, New York.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations as of November 1997 is \$114,724,098. The total general obligation indebtedness of (continued)

the issuer as of the date of the bonds, including the bonds, is \$8,993,500.

**Approval of Bonds** 

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from the city clerk, (316) 225-8100; from the financial advisor, Stifel, Nicolaus & Company, Incorporated, Attention: Steve Randle, (800) 351-5955; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated August 3, 1998.

City of Dodge City, Kansas By Nannette Pogue, City Clerk City Hall, 806 2nd Ave. Dodge City, KS 67801 (316) 225-8100

Doc. No. 022752

(Published in the Kansas Register August 6, 1998.)

Summary Notice of Note Sale City of Manhattan, Kansas

> \$553,000 Temporary Notes (Airport) Series 1998-15

\$2,002,500 Temporary Notes Series 1998-11, 12, 14 and 18

\$1,276,500 Temporary Notes Series 1998-13, 16 and 17

(General obligation notes payable from unlimited ad valorem taxes)

#### **Bids**

Subject to the notice of note sale dated August 6, 1998, separate bids will be received by the accounting/treasury officer of the City of Manhattan, Kansas (the issuer), at City Hall, 1101 Poyntz, Manhattan, KS 66502-5460, until 2 p.m. August 13, 1998, for the purchase of (a) \$553,000 principal amount of Temporary Notes, Series 1998-15; (b) \$2,002,500 principal amount of Temporary Notes, Series 1998-11, 12, 14 and 18; and (c) \$1,276,500 principal amount of Temporary Notes, Series 1998-13, 16 and 17, of the City of Manhattan, Kansas (jointly, the notes). No bid of less than 98.5 percent of the principal amount of the notes and accrued interest thereon to the date of delivery will be considered.

#### **Note Details**

At the option of the successful bidder, the notes will consist of fully registered book-entry only notes consisting of one note per series, registered under a book-entry only system administered through DTC, or shall consist of bearer instruments in denominations specified by the successful bidder. The notes will be dated September 15, 1998, and will bear interest from the date thereof at rates to be determined when the notes are sold as hereinafter provided, which interest will be payable at maturity or earlier redemption. The series of notes, the maturity date and the principal amounts thereof are as follows:

# Airport Notes-1998A (Nonbank Qualified-Subject to AMT)

	Zummine Out	Jeer to linkly
Series	Principal Amount	Maturity Date
1998-15	\$553,000	September 15, 2000
	Temporary Notes (Bank Qualific	
Series	Principal Amount	<b>Maturity Date</b>
1998-11	\$ 181,000	September 15, 2000
1998-12	323,000	September 15, 2000
1998-14	53,500	September 15, 2000
1998-18	1,445,500	September 15, 2000
	Temporary Notes- (Bank Qualific	
Series	Principal Amount	Maturity Date
1998-13	\$511,000	December 15, 1998
1998-16	515,000	December 15, 1998
1998-17	250,000	December 15, 1998
<b>.</b>		

#### Paying Agent and Note Registrar

To be designated by the successful bidder.

#### **Delivery**

The issuer will pay for printing the notes and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 15, 1998, at DTC or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$209,064,736. The total general obligation indebtedness of the issuer as of the date of delivery of the notes, including the notes being sold but excluding temporary notes to be retired in conjunction therewith, is \$46,174,500.

Approval of Notes

The notes will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the notes will be furnished and paid for by the issuer and delivered to the successful bidder when the notes are delivered.

#### **Additional Information**

Additional information regarding the notes may be obtained from Laura Oakley, Accounting/Treasury Officer, City Hall, 1101 Poyntz, Manhattan, KS 66502-5460, (785) 587-2469, fax (785) 587-2464.

Dated August 6, 1998.

City of Manhattan, Kansas

(Published in the Kansas Register August 6, 1998.)

Summary Notice of Bond Sale Fowler Hospital District/Fowler Nursing Home Meade County, Kansas \$450,000

General Obligation Bonds, Series 1998

(General obligation bonds payable from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale dated July 27, 1998, sealed bids will be received by the secretary of Fowler Hospital District/Fowler Nursing Home, Meade County, Kansas (the issuer), on behalf of the hospital board at Fowler Nursing Home, 401 E. 6th, Fowler, KS 67844, until noon August 17, 1998, for the purchase of \$450,000 principal amount of General Obligation Bonds, Series 1998. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 1, 1998, and will become due on September 1 in the years as follows:

		Principal
Year		Amount
1999		\$20,000
2000		20,000
2001		25,000
2002		25,000
2003		25,000
2004		25,000
2005		30,000
2006		30,000
2007		30,000
2008		30,000
2009	1 2 1 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	35,000
2010	11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	35,000
2011		35,000
2012		40,000
2013		45,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit** 

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$9,000 (2 percent of the principal amount of the bonds).

## **Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 1, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

#### **Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$12,731,388. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$450,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore and Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from the secretary, (316) 646-5215, or from the financial advisor, Froggatte & Herndon Capital Corporation, 320 N. Main, Wichita, KS 67202, Attention: Theron L. Froggatte, (316) 264-6300.

Dated July 27, 1998.

Fowler Hospital District/Fowler Nursing Home Meade County, Kansas

Doc. No. 022747

#### State of Kansas

#### Kansas Insurance Department

# Permanent Administrative Regulations

#### Article 1.—GENERAL

**40-1-45.** Release of data from the insurance database. (a) Although the data collected by and furnished to the commissioner of insurance pursuant to K.S.A. 40-2251, and amendments thereto, is not an open record pursuant to K.S.A. 1997 Supp. 45-221(16), and amendments thereto, compilations of this data may be released, subject to the following limitations.

- (1) These reports shall include comparative information on averages of data collected. Compilations of data shall not contain patient-identifying information or trade
- (2) The raw data shall be released by the commissioner of insurance only to each data provider that has submitted that particular data to the database and that requests to see and review its dataset for purposes of verifying information in the database pertaining to that data provider. These datasets shall not be made available to the public.
- (3) External data used for normative values that are not within the public domain shall not be released.
- (b) Any person, organization, governmental agency, or other entity may request the preparation of compilations of data collected by and furnished to the commissioner

of insurance, in accordance with the following procedure and limitations.

(1) All requests for compilations of data shall be made in writing to the commissioner of insurance. The written request shall contain the name, address, and telephone number of the requester, and a description of the legitimate purpose of the requested compilation. A "legitimate purpose' is defined as a purpose consistent with the intent, policies, and purposes of K.S.A. 40-2251, and amendments thereto. Whether or not a legitimate purpose exists may be determined by the commissioner of insurance.

(2) Each request for a compilation of data shall be reviewed by the commissioner of insurance to determine whether to approve or deny the request. A request for compilation of data may be denied by the commissioner of insurance for reasons including any of the following.

(A) The data is unavailable.

(B) The requested compilation is already available from another source.

(C) The requested compilation of data would endanger patient confidentiality.

(D) The commissioner lacks sufficient resources to fulfill the request.

(E) The request would disclose a trade secret.

(F) The requester has previously violated the rules for dissemination from the insurance database.

(G) The request is not a legitimate purpose.

- (3) The requester may ask for compilations of data collected by and furnished to the commissioner of insurance in a specific manner or format not already used by the commissioner. This shall include any request for subsets of information already available from the commissioner in compiled form.
- (4) The requester shall be notified by the commissioner of insurance in writing of its decision within 30 days. Each denial of a request shall include a brief explanation of the reason for the denial.
- (5) Determination of a fee to be charged to the requesting person, organization, governmental agency, or other entity to cover the direct and indirect costs for producing compilations shall be made by the commissioner of insurance or designee in consultation with the commissioner. The fee shall include staff time, computer time, copying costs, and supplies. For charging purposes, each compilation shall be considered an original. The fee may be waived at the commissioner's discretion.

(c) No person, organization, governmental agency, or other entity receiving data from the commissioner shall redisclose or redistribute that information for commercial purposes. Any violation of this section shall result in denial of all further requests to the insurance database.

(d) Any publication using data from the insurance database shall include a written acknowledgment of the Kansas insurance department. A copy of any publication of data from the insurance database shall be sent to the commissioner of insurance before its publication. (Authorized by K.S.A. 1997 Supp. 40-2251 and K.S.A. 40-221; implementing K.S.A. 1997 Supp. 40-2251; effective Aug. 21, 1998.)

Kathleen Sebelius Kansas Insurance Commissioner State of Kansas

# Department of Administration Division of Purchases

#### **Notice to Bidders**

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, August 17, 1998

33229

Statewide—Industrial batteries

8001

Department of Transportation—Asphalt pavement overlay

8003

Adjutant General's Department—Construct metal storage building, Holton

Wednesday, August 19, 1998 8009

Pittsburg State University—Remodel Whitesitt Hall, Rooms 121-122

8010

Fort Hays State University—Color copier/printer

Thursday, August 20, 1998

3027

Adjutant General's Department—Construct vehicle storage compound, St. Marys

Tuesday, August 25, 1998

33147

Statewide—Dressings and patient care items (Class 02)

Thursday, August 27, 1998 A-7787 (A)

Department of Transportation—New sewage lagoons, Louisburg sub-area shop

A-8176

University of Kansas—Malott Hall improvements
A-8433

Kansas Insurance Department—Exterior upgrades
• A-8620

Department of Transportation—Box culvert storage building, Wichita

33228

Statewide—Motor vehicles

Monday, August 31, 1998

33227

Department of Transportation—Automobile liability insurance

Tuesday, September 1, 1998

A-8288

Larned State Hospital—Upgrade gym/swimming pool shower room, Activity Therapy Building

**AGENCY 7: SECRETARY OF STATE** 

Action

Reg. No.

#### A-8327 (B)

Kansas State University—Storm drainage, irrigation, landscape and bike parking, Eisenhower Hall

A-8438r

Department of Wildlife and Parks—New campground building, Cheney State Park marina, Reno County

8030

Department of Health and Environment—Buck Run reclamation, Frontenac

Sources Sought

Vendors interested in offering their GSA schedule prices to State of Kansas agencies for FSC 3750-Lawn and Garden Equipment and FSC 2410, 2420, 3805-Construction and Highway Maintenance Equipment. Send copy of schedule with any special ordering instructions to Leo Vogel, Division of Purchases, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1286.

26-8-11

26-10-1

Revoked

New

John T. Houlihan Director of Purchases

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V. 16, p. 1782

Doc. No. 022754

Register

# INDEX TO ADMINISTRATIVE REGULATIONS

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